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## BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL

Chairman

JIM IRVIN

Commissioner

MARC SPITZER

Commissioner

IN THE MATTER OF THE APPLICATION )  
OF QWEST CORPORATION F/K/A U S WEST )  
COMMUNICATIONS, INC., FOR APPROVAL )  
OF THE SIXTH AMENDMENT TO THE )  
WIRELINE INTERCONNECTION )  
AGREEMENT WITH ESCHELON TELECOM )  
OF ARIZONA, INC. F/K/A ADVANCED )  
TELECOMMUNICATIONS, INC. )

DOCKET NOS. T-01051B-01-0220  
T-03406A-01-0220

DECISION NO. 63646ORDER Arizona Corporation Commission

DOCKETED

MAY 04 2001

Open Meeting  
May 1 and 2, 2001  
Phoenix, Arizona

DOCKETED BY

BY THE COMMISSION:

FINDINGS OF FACT

1. On March 9, 2001, Qwest Corporation ("Qwest"), f/k/a U S WEST Communications, Inc., filed an application for approval of the Sixth Amendment to the Interconnection Agreement between Qwest and Eschelon Telecom of Arizona, Inc. f/k/a Advanced Telecommunications, Inc. ("Eschelon"). The original Interconnection Agreement was approved by the Commission on August 28, 2000, in Decision No. 62489.

2. The Telecommunications Act of 1996 ("1996 Act") directed incumbent local exchange carriers to make their networks available for interconnection and resale by new entrants to the local exchange market. The 1996 Act provides for interconnection and resale agreements to be concluded by voluntary negotiation.

3. This Sixth Amendment to the Interconnection Agreement between Qwest and Eschelon was voluntarily negotiated, without resort to arbitration.

4. Under the terms of this Sixth Amendment, terms, conditions and rates are added to include new intervals for Collocation and Collocation Augments.

6. Staff has reviewed the Sixth Amendment and finds it to be non-discriminatory and in the public interest. Qwest is offering the same terms and conditions of the Agreement to all other interested parties. The Agreement is in the public interest because it will act to further competition in the local exchange market in Arizona.

7. Since there are no grounds for rejection of the Sixth Amendment pursuant to Section 252(e)(2)(A) of the 1996 Act, Staff has recommended that the Commission approve the Sixth Amendment to the Interconnection Agreement between Qwest and Eschelon.

1. Qwest is an Arizona public service corporation within the meaning of Article XV, Section 2, of the Arizona Constitution.

2. The Commission has jurisdiction over Eschelon and over the subject matter of the Application.

3. The Commission, having reviewed the Application and Staff's Memorandum has determined that the Sixth Amendment to the Interconnection Agreement negotiated between Qwest and Eschelon meets the requirements of Section 252(e)(2)(A) of the 1996 Act which governs the approval of voluntarily-negotiated agreements and is in the public interest.

4. The Commission maintains jurisdiction over the subject matter of the Agreement and Amendments thereof, to the extent permitted pursuant to the powers granted the Commission by the Arizona Constitution, Statutes, Commission Rule, and the 1996 Act and the Rules promulgated thereunder.

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ORDER

THEREFORE, IT IS ORDERED that the Commission hereby approves the Sixth Amendment to the Interconnection Agreement between Qwest and Eschelon filed March 9, 2001.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

**BY ORDER OF THE ARIZONA CORPORATION COMMISSION**  
CHAIRMAN  
COMMISSIONER  
COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 4th day of May, 2001.

  
BRIAN C. McNEIL  
Executive Secretary

DISSENT: \_\_\_\_\_

DRS:EAA:lhmm\MAS

SERVICE LIST FOR: Qwest Corporation and Eschelon Telecom, Inc.

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2 Ms. Theresa Dwyer  
3 Fennemore Craig  
3003 North Central Avenue, Suite 2600  
4 Phoenix, Arizona 85012

5 Mr. Dennis Ahlers  
6 Senior Attorney  
Eschelon Telecom, Inc.  
7 730 Second Avenue South, Suite 1200  
Minneapolis, Minnesota 55402

8  
9 Mr. Timothy Berg  
Fennemore Craig  
10 3003 North Central Avenue, Suite 2600  
Phoenix, Arizona 85012

11 Mr. Christopher C. Kempley  
12 Chief Counsel  
Arizona Corporation Commission  
13 1200 West Washington  
14 Phoenix, Arizona 85007

15 Ms. Deborah Scott  
Director, Utilities Division  
16 Arizona Corporation Commission  
1200 West Washington  
17 Phoenix, Arizona 85007

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